## REMARKS

This Amendment is being filed in response to the Office Action mailed on August 4, 2008 which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-2 and 4-5 remain in this application, where claim 3 has been canceled without prejudice, and claims 1 and 4 are independent.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice. Further, the specification has been amended for better conformance to U.S. practice.

In the Office Action, claims 1-4 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,745,684 (Oskouy). Further, claim 5 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Oskouy in view of U.S. Patent No. 5,745,684 (Wingard). It is respectfully submitted that claims 1-2 and 4-5 are patentable over Oskouy and Wingard for at least the following reasons.

Oskouy is directed to an apparatus and method for providing a generic interface between a host system and an asynchronous transfer mode core functional block. Page 3, paragraph 3 alleges that column 7, lines 5-14 of Oskouy discloses or suggest providing information indicative for an expected waiting time.

It is respectfully submitted that the noted section of Oskouy is merely related to flags that indicate readiness to read and write data. Oskouy does not disclose or suggest the present invention as recited in independent claim 1, and similarly recited in independent claim 4 which, amongst other patentable elements recites (illustrative emphasis provided):

> while independently in a second handshake procedure, exchanging information relating to a status of at least one communication thread from the second to the first functional unit; ...
> wherein the information is indicative for an expected waiting time before a request relating to the at least one communication thread can be handled.

The Oskouy flags that indicate readiness to read and write data simply do not suggest any expected waiting time. Page 3, paragraph 3, last two lines allege that Oskouy "[b]ased upon buffer fill level and rate[,] the functional unit may estimate the time until the appropriate flag is set."

Assuming, arguendo, that Oskouy discloses that 'the functional unit may estimate the time until the appropriate flag is set,' there is still no disclosure or suggestion of providing such an estimate to another functional unit. At best, only the flags are provided to another functional unit. Oskouy does not disclose or suggest exchanging information indicative for an expected waiting time before a request relating to the at least one communication thread can be handled, as recited in independent claims 1 and 4. Wingard is cited to allegedly show other features and does not remedy the deficiencies in Oskouy.

Accordingly, it is respectfully requested that independent claims 1 and 4 be allowed. In addition, it is respectfully submitted that claims 2 and 5 should also be allowed at least based on their dependence from independent claims 1 and 4 as well as their individually patentable elements.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to

submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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